

Message Text

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67

ACTION AF-18

INFO OCT-01 ISO-00 L-03 PM-07 CIAE-00 INR-10 NSAE-00

RSC-01 OC-06 CCO-00 OCL-00 AID-20 TRSE-00 DRC-01 /067 W

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R 071505Z MAY 74

FM AMEMBASSY ADDIS ABABA

TO SECSTATE WASHDC 8846

INFO AMCONSUL ASMARA

NAVCOMMSTA ASMARA

CNO WASHDC

C O N F I D E N T I A L ADDIS ABABA 5094

E.O. 11652: GDS

TAGS: PFOR MARR MASS ET US

SUBJECT: KAGNEW PHASE-DOWN

REFS: (A) ASMARA 320; (B) STATE 90470

1. WHILE KAGNEW LEGAL OFFICER THINKS OUTSTANDING PERSONAL DAMAGE CLAIMS CAN BE SETTLED BY JUNE 30 (REF A), EMBASSY FORESEES POSSIBLE REQUIREMENT DOD LAWYER ON TDY OR OTHERWISE UNTIL PERHAPS SEPTEMBER 30. EMBASSY CONSIDERS IT IMPORTANT HAVE LEGAL EXPERT IN ASMARA DURING INITIAL PERIOD TRANSITION TO CONTRACTOR BECAUSE OF NUMEROUS QUESTIONS RE 1953 AGREEMENT WHICH COULD ARISE.

2. LEGAL COUNSEL COULD ASSIST CONGEN AND CONTRACTOR ESTABLISH PROCEDURES AND/OR NEGOTIATE WITH IEG ON SUCH MATTERS AS:

(A) COMPENSATION CROP DAMAGE AND OTHER CLAIMS.

(B) PROCEDURES ON LICENSES, CUSTOMS AND LOCAL TAX QUESTIONS.

(WE NOTE FOR EXAMPLE THAT ECCE MILK TAX CASE REMAINS UNRESOLVED. PRESUMABLY, RESIDUAL FACILITIES MAY CONTINUE SUCH LOCAL CONTRACT ARRANGEMENTS.)

(C) LIABILITY AND PERSONAL DAMAGE CLAIMS ARISING FROM AUTO ACCIDENTS, ETC. (THERE HAVE BEEN SOME LEGAL QUESTIONS RE MILITARY PERSONNEL. MAY BE FURTHER PROBLEMS WHEN CIVILIANS INVOLVED.)

(D) ALTHOUGH DEFENSE INSTALLATIONS AGREEMENT REMAINS IN FORCE, LOCAL AUTHORITIES COULD ADOPT STRICTER ATTITUDE TOWARD PRIVILEGES

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FOR A PHASED-DOWN CONTRACTOR-RUN KAGNEW. (FOR EXAMPLE, WE SOME-

WHAT TROUBLED BY ARTICLE XXIV OF AGREEMENT WHICH DEFINES "US FORCES" AS THOSE SUBJECT TO US MILITARY LAW.)

3. WHILE WE ATTEMPTING PROD IEG TO SIGN QUICKLY FOR TRACTS AND OTHER PROPERTIES (SEE ADDIS 5023), WE WISH REMIND DOD AGENCIES THAT IEG WHEELS WHICH USED TO GRIND EXCEEDING SLOW HAVE ALL BUT STOPPED DURING CURRENT TURMOIL AND UNCERTAINTY.
WYMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEMPORARY DUTY, MILITARY BASE CLOSINGS, DEBTS, CONTRACTS, NEGOTIATIONS, INDEMNIFICATION
Control Number: n/a
Copy: SINGLE
Draft Date: 07 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974ADDIS05094
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740110-0728
From: ADDIS ABABA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740570/aaaackes.tel
Line Count: 69
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: (A) ASMARA 320; (B) STATE 90470
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 28 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 AUG 2002 by WorrelSW>; APPROVED <04 FEB 2003 by GarlanWA>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: KAGNEW PHASE-DOWN
TAGS: PFOR, MARR, MASS, ET, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005